

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable W. Richard Lee
Bankruptcy Judge
Fresno, California

Wednesday, May 12, 2004

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS
DEPARTMENT B - FRESNO

1. The following rulings are tentative. The matter will be called and the court's final ruling will generally be placed on the record at the end of the calendar. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Matters resolved without oral argument:

If the moving party has received a response or is aware of any reason, such as a settlement, that a timely opposition may not have been filed, the moving party must contact Marlene Verdialez, the Calendar Clerk, at (559) 498-7220 by 5:00 p.m. the day before the scheduled hearing.

Moving party shall submit an appropriate form of order. When the debtor's discharge has been entered, proposed orders for relief from stay must reflect that the motion is dismissed as to the debtor and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the court's intended ruling together with the proposed stipulation and order resolving the matter.

3. The court will not continue short cause evidentiary hearings scheduled below.

4. If a matter is denied without prejudice for any reason set forth below, the moving party shall file a new motion or objection to claim with a new docket control number. It may not simply re-notice the original motion.

10:00 A.M.

4. [02-17803](#)-B-7 ANDREW & KELLY PETERSON HEARING - APPLICATIONS FOR
COMPENSATION:
BETH STRATTON, TRUSTEE [[12](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

5. [02-61508](#)-B-7 FREDERICO & RACHEL PENA HEARING - APPLICATIONS FOR
COMPENSATION:
BETH STRATTON, TRUSTEE [[24](#)]
JANZEN, TAMBERI & WONG, ACCTS.
[[19](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

6. [03-17713](#)-B-7 WILBUR L. MEEKS HEARING - APPLICATIONS FOR
COMPENSATION:
SHERYL STRAIN, TRUSTEE [[15](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

7. [03-12030](#)-B-7 VIRGINIA L. GARRIDO HEARING - APPLICATIONS FOR
COMPENSATION:
JAMES SALVEN, TRUSTEE [[25](#)]
JANZEN, TAMBERI, & WONG, ACCTS.
[[22](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

8. [03-11561](#)-B-7 LEOPOLDO & ROMANA VELARDE HEARING - APPLICATIONS FOR
COMPENSATION:
JAMES SALVEN, TRUSTEE [[9](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

9. [03-15961](#)-B-7 HILDA MIRANDA HEARING - TRUSTEE'S MOTION
TO DISMISS
JAMES SALVEN, TRUSTEE [[20](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

10. [03-11877](#)-B-7 DANNY CONTRERAS HEARING - APPLICATIONS FOR
COMPENSATION:
BETH STRATTON, TRUSTEE [[38](#)]
JANZEN, TAMBERI & WONG, ACCTS.
[[26](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

11. [03-17798](#)-B-7 SUSIE ELIZABETH KENNEDY HEARING - APPLICATIONS FOR
COMPENSATION:
BETH STRATTON, TRUSTEE [[43](#)]
JANZEN, TAMBERI & WONG, ACCTS.
[[34](#)]

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

10:30 A.M.

1. [03-16302](#)-B-7 JOHNNIE VAY COLE HEARING - MOTION TO AVOID LIEN
SFS #1 OF FORD MOTOR CREDIT COMPANY
DEBTOR [[16](#)]

SUZANNE SWENK/Atty. for dbt.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

5. [98-11107](#)-B-7 JOAN PATRICIA BERTOLDO HEARING - MOTION TO AVOID
GGH #2 JUDICIAL LIEN OF ACCESS CAPITAL
DEBTOR SERVICES, INC. [[15](#)]

GARY HOOD/Atty. for dbt.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

9. [04-11824](#)-B-7 ROSALIO & ANNA BOTELLO HEARING - MOTION FOR RELIEF
BMS #1 FROM STAY [[9](#)]
FORD MOTOR CREDIT COMPANY

BETH STRATTON/Atty. for mv.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

10. [04-12229](#)-B-7 MARY J. ANDERSON HEARING - MOTION FOR RELIEF
MPD #1 FROM STAY [[7](#)]
HOUSEHOLD FINANCE CORP.

JAMES LEWIN/Atty. for mv.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

11. [04-12529](#)-B-7 JOHN & LYNETTE FILIPPE HEARING - MOTION FOR RELIEF
SB #1 FROM STAY [[10](#)]
WELLS FARGO BANK, N.A. NON-OPP BY DEBTORS

CAROLYN MORRIS/Atty. for mv.
F. JOHN GIST/Atty. for dbt.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

13. [00-11838](#)-B-7 RODNEY & MICHELLE RENTERIA HEARING - MOTION TO AVOID
MAZ #2 JUDICIAL LIEN OF INDEPENDENT
DEBTORS ELECTRIC SUPPLY, INC. [[33](#)]

MARK ZIMMERMAN/Atty. for mv.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

14. [03-61440](#)-B-7 RICHARD & WANDA ROGERS HEARING - TRUSTEE'S MOTION
SAS #1 TO SELL PERSONAL PROPERTY
[[40](#)]

SHERYL STRAIN, TRUSTEE

The motion is denied without prejudice. The proof of service fails to comply with Local Rule 9014-1(e) (3).

16. [00-17444](#)-B-7 SHANE LOWELL GRESHAM HEARING - PLAINTIFFS' MOTION
[00-1423](#) ASW #2 TO REOPEN AND REINSTATE
JAMES R. ANDERSEN, VICKI A. ANDERSEN ADVERSARY PROCEEDING BASED ON
MICHAEL BURNS, ET AL., VS. INTENTIONAL FRAUD AND
SHANE LOWELL GRESHAM INTENTIONAL MISREPRESENTATION
[[30](#)]

ADRIAN WILLIAMS/Atty. for pl.

This adversary proceeding was referred to Judge Dorian. This motion shall be rescheduled for hearing on June 4, 2004, at 10:30 a.m., before Judge Dorian.

20. [03-16554](#)-B-7 ZANE HAMMOND CONSTRUCTION, HEARING - MOTION FOR RELIEF
KFV #1 INC. FROM STAY [[52](#)]
VGCC PARTNERS, L.P.

KURT VOTE/Atty. for mv.

The motion is denied without prejudice. The moving papers were not served on the debtor. The proof of service fails to comply with Local Rule 9014-1(e) (3) .

21. [04-10156](#)-B-7 SARA E. JACOBSEN HEARING - MOTION FOR RELIEF
DHK #1 FROM STAY [[34](#)]
CAPITOL VALLEY BANK
DISCHARGED 4/15/04

SAMUEL ZANUTTO/Atty. for mv.

The motion is denied without prejudice. The proof of service fails to comply with Local Rule 9014-1(e) (3) .

22. [03-18558](#)-B-7 TIMOTHY DALE HAYES HEARING - TRUSTEE'S MOTION
BMS #1 FOR ORDER APPROVING COMPROMISE
OF CONTROVERSY [[12](#)]

BETH STRATTON, TRUSTEE

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

24. [04-12463](#)-B-7 PAUL & AMY HERRERA HEARING - MOTION FOR RELIEF
BMS #1 FROM STAY [[11](#)]
CONSUMER PORTFOLIO SERVICES

BETH STRATTON/Atty. for mv.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

25. [03-16768](#)-B-7 FRANK & KARLENE RYAN HEARING - MOTION FOR RELIEF
TJP #1 FROM STAY [[40](#)]
GREEN TREE SERVICING, LLC
DISCHARGED 10/23/03

DORIS FAUST/Atty. for mv.

The automatic stay shall be terminated for cause shown as to the Chapter 7 trustee, no timely opposition having been filed. The motion shall be dismissed as to the debtor(s), their discharge having been entered.

26. [04-11472](#)-B-7 NICHOLAS & MICHELLE MONTANO HEARING - MOTION TO AVOID LIEN
HBH #1 OF CONSUMER PORTFOLIO SERVICES,
DEBTORS INC. AND PAULA M. HARRELSON
OF PRENOVOST, NORMANDIN, BERG
AND DAWE [[5](#)]

HAL HAVLISCH/Atty. for dbt.

The matter is resolved without oral argument. The motion shall be granted for cause shown. The court's records indicate that no timely written opposition has been filed.

28. [04-11473](#)-B-7 HECTOR & ADRIANA SOLIS HEARING - MOTION TO AVOID
HBH #1 LIEN OF DATA CENTRAL COLLECTION
DEBTOR BUREAU, LLC (FILED 4/5/04)
[[14](#)]

HAL HAVLISCH/Atty. for dbt.

This motion appears to be a duplicate filing of docket #27 disposed of above and will be dropped from calendar.

2:00 P.M.

4. [03-61567](#)-B-7 JIM J. REEVES STATUS CONFERENCE
[04-1071](#) [[1](#)]
JIM J. REEVES, VS.
U.S. DEPARTMENT OF EDUCATION

MARK ZIMMERMAN/Atty. for pl.

This adversary proceeding will be referred to Judge Dorian. This status conference will be rescheduled before Judge Dorian on June 25, 2004, at 10:30 a.m. No appearance is necessary at this time.